

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

WOPASHITWE MONDO EYEN  
WE LANGA,

Petitioner,

V.

ROBERT P. HOUSTON, Director of  
Nebraska Department of Correctional  
Services and, NEBRASKA BOARD  
OF PAROLE, The, and NEBRASKA  
BOARD OF PARDONS, The,

Respondents.

8:10CV229

**MEMORANDUM AND ORDER**

Petitioner filed a successive Petition for Writ of Habeas Corpus ([filing 1](#)) on June 18, 2010. At the time of filing, Petitioner had not obtained authorization from the Eighth Circuit Court of Appeals to file a successive petition as required by [28 U.S.C. § 2244\(b\)](#). However, as of June 18, 2010, Petitioner had also filed a Petition for Permission to File a Successive Habeas Petition in the Eighth Circuit. On October 4, 2010, this court stayed this matter pending the Eighth Circuit's ruling on Petitioner's request to file a successive petition. ([Filing 7.](#))

On October 28, 2010, the Eighth Circuit denied Petitioner's request to file a successive petition. ([Filing 8.](#)) Accordingly, Petitioner's Petition for Writ of Habeas Corpus ([filing 1](#)) is an unauthorized successive petition and will be dismissed.

IT IS ORDERED:

1. Petitioner's Petition for Writ of Habeas Corpus is dismissed without

prejudice.

2. A separate judgment will be entered in accordance with this memorandum and order.

December 6, 2010.

BY THE COURT:

*Richard G. Kopf*

United States District Judge